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In re Application of	:	
COLLINS et al.	:	
Application No.: 10/537,069	:	DECISION ON
PCT No.: PCT/CA04/00620	:	
Int. Filing Date: 27 April 2004	:	PETITION UNDER
Priority Date: None	:	
Attorney Docket No.: GOUD:061US	:	37 CFR 1.137(a)
For: PRODUCTION OF ACTIVE NICKEL POWDER	:	
AND TRANSFORMATION THEREOF INTO NICKEL	:	
CARBONYL	:	

This decision is in response to applicants' petition under 37 CFR 1.137(b) filed 17 March 2006 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 27 April 2004, applicant filed international application PCT/CA04/00620 which designated the U.S. and did not claim a priority date. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 03 November 2005. The thirty-month period for paying the basic national fee in the United States expires at midnight on 27 October 2006.

On 31 May 2005, applicants filed a transmittal letter for entry into the national stage in the United States, which was not accompanied by any fees or any authorization to pay fees.

On 17 March 2006, applicants filed the instant petition under 1.137(b) which was accompanied by, *inter alia*, the basic national fee, the search fee, and the examination fee.

DISCUSSION

As noted above, the thirty-month period for paying the basic national fee does not expire until midnight on 27 October 2006. Accordingly, the application has not gone abandoned and a petition to revive the application is unnecessary. The petition fee will be credited to Deposit Account 50-1212.

Because applicant did not file an express request to begin national examination procedures early, the application will be forwarded for storage and will not be taken up for processing until the expiration of thirty months from the international filing date. *See, e.g., 35 U.S.C. 371(f).*

CONCLUSION

The petition under 37 CFR 1.137(b) is **DISMISSED** as **MOOT** for the reasons set forth above.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.



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